UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF ALABAMA EASTERN DIVISION

RONNIE GILES	
Plaintiff,	
vs.)	CAUSE NO. 3:06 CV 528-WKW
MASTERBRAND CABINETS, INC.	
Defendant.)	

DEFENDANT'S MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S PETITION FOR ATTORNEYS' FEES

Defendant, MasterBrand Cabinets, Inc., ("MBCI") by counsel, respectfully moves the Court for an enlargement of time of thirty (30) days, up to and including January 22, 2008, to file its response to Plaintiff's Petition for Attorneys' Fees. In support of this Motion, MBCI states as follows:

- 1. Plaintiff filed his Petition for Attorneys' Fees on November 30, 2007. Plaintiff's Petition for Attorneys' Fees seeks fees in the amount of \$83,003.00 for the work of two attorneys, seeks costs in the amount of \$1,945.85, and includes fourteen (14) exhibits.
- 2. The Court issued an Order on December 5, 2007 stating that Defendant's response is presently due on December 21, 2007, which time has not expired.
- 3. Defendant's counsel requires additional time to respond to Plaintiff's Petition for Attorneys' Fees due to the press of business in other matters including but not limited to an appellate brief to the North Carolina Court of Appeals, time intensive and

time sensitive assistance to a large client undergoing two plant closures and layoffs at a third plant, and a response to a motion for production of defense billing records submitted by Arendall & Associates in a separate case. Counsel is also mindful of the approaching holidays and demands for family time in this season.

- 4. Allen Arnold was consulted regarding this motion. Plaintiff objects to the Motion for an Extension of Time.
- 5. This request for a thirty (30) day extension is made in good faith, and it is not made to delay this matter but solely for the purpose of allowing undersigned counsel to adequately respond to Plaintiff's Petition for Attorneys' Fees.

WHEREFORE, Defendant, MasterBrand Cabinets, Inc., respectfully requests an extension of time to and including January 22, 2008 to Respond to Plaintiff's Motion for Attorneys' Fees.

Respectfully submitted,

BAKER & DANIELS LLP

s/Kelley Bertoux Creveling

Mark J. Romaniuk (#15255-49)

Kelley Bertoux Creveling (#19309-49)

300 North Meridian Street

Suite 2700

Indianapolis, IN 46204

Telephone: (317) 237-0300

Facsimile: (317) 237-1000

E-mail: mark.romaniuk@bakerd.com kelley.creveling@bakerd.com

Attorneys for Defendant

CERTIFICATE OF SERVICE

I certify that on December 11, 2007, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following party by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

> David R. Arendall Allen D. Arnold **ARENDALL & ASSOCIATES** 2018 Morris Avenue, Suite 300 Birmingham, Alabama 35203 dra@arendalllaw.com ada@arendalllaw.com

Attorneys for Plaintiff

s/Kelley Bertoux Creveling